

FILED

MAR 15 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADRIAN DUNCAN

Defendant.

CR 10-0034 JSW(EMC)

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME**

On March 2, 2010, the parties in this case appeared before the Court for ID of counsel and to amend bond conditions. The parties stipulated and the Court agreed that time should be excluded from the Speedy Trial Act calculations from March 2, 2010, through March 25, 2010, for effective preparation of defense counsel and for continuity of defense counsel. The parties represented that granting the continuance would allow the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such

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a continuance outweighed the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

/s/

DATED: March 11, 2010

OWEN P. MARTIKAN
Assistant United States Attorney

RAMSEY EHRLICH LLP

/s/

DATED: March 11, 2010

ISMAIL RAMSEY
Attorney for Adrian Duncan

[PROPOSED] ORDER

As the Court found on March 2, 2010, and for the reasons stated above, an exclusion of time from March 2, 2010, through March 25, 2010, is warranted because the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation and for continuity of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. §3161(h)(7)(B)(iv).

SO ORDERED.

DATED: 3/15/10


HON. EDWARD M. CHEN
United States Magistrate Judge